

***Report***

***Concerning the Determination of***

***the Proposed***

**GARFIELD AVENUE**

**STUDY AREA**

***as***

***“A Non-Condensation Redevelopment Area”***

**The original of this report was signed and sealed  
in accordance with N.J.S.A. 40:14A-12**

**February 17, 2015**

**Division of City Planning**

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### **Appendix      Garfield Avenue Study Area Photographs**

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#### **Map 1              Study Area Boundary**

## **I. SURVEY OF CONDITIONS IN THE STUDY AREA**

### **A. Introduction**

The Municipal Council of the City of Jersey City, on September 10, 2014, adopted resolutions number 14-596 and 14-719, authorizing the Jersey City Planning Board to:

1. Conduct a preliminary investigation of the physical and economic conditions of an area known as the Garfield Avenue Study Area, (hereinafter the Study Area) to determine whether or not this Study Area meets the statutory criteria necessary to be declared an “area in need of redevelopment,” an “area in need of rehabilitation,” or as a “non-condemnation redevelopment area” without the authorization to use eminent domain as outlined in NJSA 40A:12A-5 and NJSA 40A:12A-6; and
2. Propose a Redevelopment Plan for this Study Area if it is found to be in Need of Redevelopment and/or Rehabilitation.

### **B. Boundary Description**

The Garfield Avenue Study Area consists of fifteen (17) Tax Lots found on two (2) Tax Blocks in the Bergen-Lafayette area of Jersey City.

BLOCK	LOT
23701	5
23701	6
23701	7
23701	8
23701	27
23701	28
23701	29
23704	1
23704	2
23704	3
23704	4
23704	5
23704	6
23704	7
23704	8
23704	9
23704	10

The boundary of the Study Area is also depicted on Map 1, "Study Area Boundary Map." In the event of a discrepancy between lots listed in the chart and the Map, the Map takes precedence.

### **C. Local Setting and Background**

The Study Area is located in Bergen-Lafayette area of Jersey City, relatively adjacent to the New Jersey Turnpike Exit 14B. The area straddles Garfield Avenue and is bounded by Arlington Avenue, Wilkinson Avenue, the mid-block lot lines between Marcus Street and Bayview Avenue, and a paper street called Commercial Street. The area, though adjacent to residential uses and zoned R-1 (one- and two-family residential), is a mix of warehousing, light industrial, service and commercial uses.

### **D. Transportation Access**

The Study Area has good transportation access due to its proximity to Turnpike Exit 14B and situated a half mile from both Richard Street and Garfield Avenue Hudson Bergen Light Rail Stations.

### **E. Physical Survey and Analysis**

**E.1. Physical Survey Methodology** - The following methods were used in gathering information and preparing a physical condition survey of the Study Area.

A. Parcel ownership, land use, lot assignments, size and assessed value were obtained from the municipal tax records for each parcel. Land use categories were evaluated through field surveys.

B. A physical survey of the buildings and properties were conducted to determine the general physical condition for the parcels, and where necessary to modify characteristics obtained from the tax records. The survey involved an exterior evaluation only. The criteria for evaluating the condition of the buildings and properties consisted of those factors that would indicate the generality of active maintenance and investment, or the lack thereof, in the residence, business, plant or property surveyed. Building and property condition was determined by focusing on certain indicators such as the following: windows, entranceways, siding, brickwork, cornices, sidewalks and curbing, evident rubbish, foundations and retaining walls, fencing, arrangement of driveways, parking and loading areas, relationship of buildings and land use to the surrounding area, condition of pavement and the grounds in general. Factors which weighed against a positive rating included: cracks and fissures in masonry or concrete, broken glass, rotted and deteriorated wood elements, missing or damaged siding sections, evident debris and poor maintenance of the grounds, rusted or broken fencing elements, damaged or missing sidewalk areas and overcrowding or excessive coverage of buildings. Buildings and properties were classified as Good, Fair, or Poor.

**E.2. Study Area Characteristics**

The Study Area contains approximately 5.2 acres of property on 17 tax lots, and includes the surrounding city streets. The Study Area is a series of masonry industrial buildings with a mix of uses, a non-operating gas station, and a used auto dealer. The entire Study Area is consistent with smart growth planning principles and meets criteria "h."

Block 23701, Lot 7 - 1 Wilkinson Ave.

This site contains a two-story masonry and frame industrial structure in fair condition. The driveway has a tall chain link fence allowing access to the rear yard in excess of fence height standards. The side door lacks a railing to the first landing. The rear yard of this building is unkempt, with broken paving, weeds, and debris strewn about. The sidewalks surrounding the building are in disrepair with weeds growing up between the cracks and littered with electronic waste and other refuse. Several windows are haphazardly hung and improperly sealed. A masonry fence along the Garfield Avenue frontage is covered with graffiti. This lot meets criteria "d."

Block 23701, Lot 6 - 15 Wilkinson Ave.

This site contains three structures on a corner lot. More than one principal structure on a single lot is prohibited in the R-1 zone. The largest structure is a four- and five-story masonry industrial building in poor condition. Windows are either broken and open to the elements, boarded and painted to match the brick façade, or a mix of intact old and new windows. Weeds have grown where the building foundation meets the sidewalk as well as through seams throughout the sidewalk. Trash is also strewn about the sidewalk along both street frontages. An exterior stairwell fronting Wilkinson Avenue is in disrepair and enclosed with chain link fencing. Several curb cuts and loading bays front the street and lack adequate paving and drop aprons. Slate curbing is deteriorated and crumbling into the cartway. The other two, smaller structures are both two story masonry industrial buildings in poor condition. Sited behind the larger structure, these buildings are placed away from the street. If either smaller structure is categorized as an accessory structure they will exceed the height limit of fifteen (15) feet in residential zones. The smaller buildings are covered in vines and missing most windows, exposed to the elements. Both smaller buildings have several cracks to the foundation and below the windows. The rear yard, parking, and loading areas are enclosed by a chain link fence with razor wire which is prohibited in a R-1 zone. The fences are also in excess of maximum height standards. The rear yard and enclosed parking area is unkempt, with broken paving, weeds, and debris strewn about. This lot meets criteria "a," "b," and "d."

Block 23701, Lot 5 - 46 Arlington Ave.

This site contains a one-story masonry commercial garage building in fair condition. The property is enclosed by a tall chain link fence woven with faux vines and topped with barbed wire and razor wire – prohibited in an R-1 zone. Although there are two street trees, the sidewalk is in disrepair with weeds growing up between the cracks and in tree pits. Two curb cuts lack adequate paving and drop aprons. This lot meets criteria "d."

Block 23701, Lot 27 - 675 Garfield Ave.

This site contains a two- and three-story masonry building with a glass and metal addition in good condition. Formerly industrial, the building was repurposed as office and a senior center. The building takes up nearly 100% of the lot when only 60% building coverage is permitted. There is no landscaping along the main street. The side street is landscaped with ground cover, sculptures and street trees that are well maintained. The sidewalk is in good condition without cracking, weeds, or debris.

Block 23701, Lot 28 - 15-19 Marcus St.

This site contains a 1-story masonry industrial building in fair condition. The building has bricked up windows and a boarded clerestory that is sealed to the elements. Landscaping is nicely designed and well maintained. An easement for public access is gated and locked. The sidewalk is good condition and no debris is found on or surrounding the site. This lot meets criteria "d."

Block 23701, Lot 29 - 21-27 Marcus Street

This site contains a parking lot with improvements in good condition. Improvements include curbing, lighting, striping, and refuse area enclosed with metal fencing. Landscaping is well maintained along Marcus Street. The area and planting strip adjacent to the refuse area is overgrown with weeds and littered with debris.

Marcus Street 50' ROW

This site contains a parking lot within the Marcus Street right-of-way at the street's dead end. Improvements to this site include curbing, lighting, striping and a security gate with razor wire. The site is good condition. The property owner has not been obtained a franchise for the use of the public right-of-way.

Block 23701, Lot 8 - 683 Garfield Ave.

This site contains a two-story masonry industrial building in fair condition. The rear loading area has no drop apron. The refuse area next to the sidewalk on Marcus Street is not screened. There is chain link fencing in the rear loading area and along the lot fronting Garfield Avenue. Many windows are cemented and sealed to the elements. The side yard has cracked pavement, weeds and, an overall abandoned look. The sidewalk along Garfield Avenue is broken and weeds are growing between the cracks. Debris also litters the sidewalk. A loading area fronting Garfield Avenue near the intersection of Marcus Street has a mountable curb with improper drop apron. The sidewalk in front of the garage doors has a mountable curb, lacking a proper drop apron, designed for sidewalk loading and unloading. This lot meets criteria "a" and "d."

Block 23704, Lot 1 - 676 Garfield Ave.

This site contains a gas station with a one-story masonry auto garage and station awning in poor condition. The station is vacant and appears abandoned. There is an open permit to remove, clean and dispose of one (1) 550 gallon Underground Storage Tank (UST). The pumps are broken and missing equipment. Several cars look to be illegally parked or abandoned on site. The pavement is cracked and weeds are growing through the cracks. Debris is strewn about the site. This lot meets criteria "a," and "d."

Block 23704, Lots 2 & 3 - Commercial St.

This site is situated behind block 23704 Lot 1, is land-locked and has no access to an improved public right-of-way, fronting only a paper street named Commercial Street. A chain link fence encloses the site which is unpaved, unkempt, and full of dirt piles and weeds. These lots meet criteria "c."

Block 23704, Lot 4, 5, 6, 7 & 10 - 682 Garfield Ave.

This site contains a one-story stucco, steel and glass structure located on the southwest end of a large lot in fair condition. The building has large building signage and banner signage in excess of regulations. Although the building does not appear to have any structural issues it stands in stark contrast to the old masonry buildings across the street. The large lot that makes up the majority of the property is in poor condition. Both the sidewalk and the on-site pavement is cracked and deteriorating, overgrown with weeds. The rear and side lot lines have chain link fencing reinforced with graffitied corrugated iron that is topped with razor wire. These lots meet criteria "d."

Block 23704, Lot 8 & 9 - 700 Garfield Ave.

This site contains a two-story masonry commercial building and parking area in poor condition. The facade is a mix of cracking plaster, rusty painted corrugated iron and crumbling brick creating an abandoned look. Old signage hardware is rusted and missing the signs. Rolldown security gates attached to the front entrance have graffiti. Along the side yard the roofline is topped with razor wire. The sidewalk is cracked and weeds are growing out between the sidewalk and the foundation of the building. This site contains a gated parking and loading area in poor condition. The parking area has pavement that is cracked and/or deteriorating, overgrown with weeds. The parking area has chain link fencing and gates topped with razor wire. This lot meets criteria "a," "b" and "d."

## **II. CRITERIA FOR DETERMINATION OF NEED FOR REDEVELOPMENT**

The Study Area may be determined to be in need of redevelopment if, after investigation, notice and hearing, as provided within NJSA 40A: 12A-6, the governing body concludes by resolution that within the study area, any of the following conditions are found:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of

the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.

- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- g. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.



- h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

### **III. CONCLUSION**

A review of the unique characteristics of the Study Area indicates that it qualifies as an "area in need of redevelopment" as defined in NJSA 40A: 12 A-5; meeting the criteria of subsections a., b., c., d., e., and h.

- a. Subsection "a." speaks to the generality of buildings being substandard, dilapidated, or obsolescent, or possessing any of such characteristics, as to be conducive to unwholesome living or working conditions. It is clear that within the Study Area, several of the buildings have become substandard and are not conducive to good working and living conditions. Several buildings in poor and fair condition exhibit conditions that are conducive to unwholesome working and living conditions, such as deteriorating facades and fallen siding, unsafe, poorly maintained, and entirely missing sidewalks and paved areas, graffiti throughout, and a lack of maintenance to the building grounds evidenced by overgrown and dead landscaping and excess litter. The buildings exhibit symptoms of obsolescence such as loading docks crossing the sidewalk, resulting in conflicts with the street and sidewalk traffic in the area.

We conclude that the conditions of Criterion "a" are met.

- b. Subsection "b." speaks to the discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable. This subsection is applicable to the Study Area. Two properties contribute to meeting this criterion. Both buildings contain vacant commercial or industrial space that has remained so for years. The buildings are fully or partly dilapidated, boarded up, open to the elements, and/or have deteriorated to the point of being untenable.

We conclude that the conditions of Criterion "b" are met in these instances.

- c. Subsection "c." speaks to unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital. Two lots meet this criterion, namely Block 23704, Lots 2 and 3. Said lots are situated behind a former gas station and have no access to an improved public right-of-way, fronting only a paper street named Commercial Street. Due to the land-locked location it is highly unlikely that these lots will be developed.

We conclude that the conditions of Criterion "c" are met in these instances.

- d. Subsection "d." speaks to areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, excessive land coverage, deleterious land use or obsolete layout are detrimental to the safety, health, morals, or welfare of the community. This subsection is applicable to the Study Area. The warehousing portions of several buildings are poorly arranged by modern standards in that loading and access doors are located immediately on the public right-of-way. These clearly demonstrate an obsolete layout and faulty arrangement, which is detrimental to the safety and welfare of the community. The Study Area also has sections that appear to be neglected, evidenced by garbage and other debris collecting without clean-up, and weed overgrowth. The Study Area is also marked by graffiti. This Study Area constitutes a deleterious use which is detrimental to the health and safety of the community.

The conditions required for Criterion "d" are met in these instances.

- h. Subsection "h" speaks to the "Smart Growth" principles of New Jersey. Clearly the redevelopment of deteriorated urban districts and the improvement of the visual environment are directed towards Smart Growth and should be seen as promoting that agenda.

We conclude that the intent of Criterion "h" are met.

It is the recommendation of City Planning staff that the aforementioned Study Area be determined as an "area in need of redevelopment" without the authorization to use eminent domain also known as a "non-condemnation redevelopment area" as it qualifies for such a determination under subsections a., b., c., d., and h. of NJSA 40A:12A-5.

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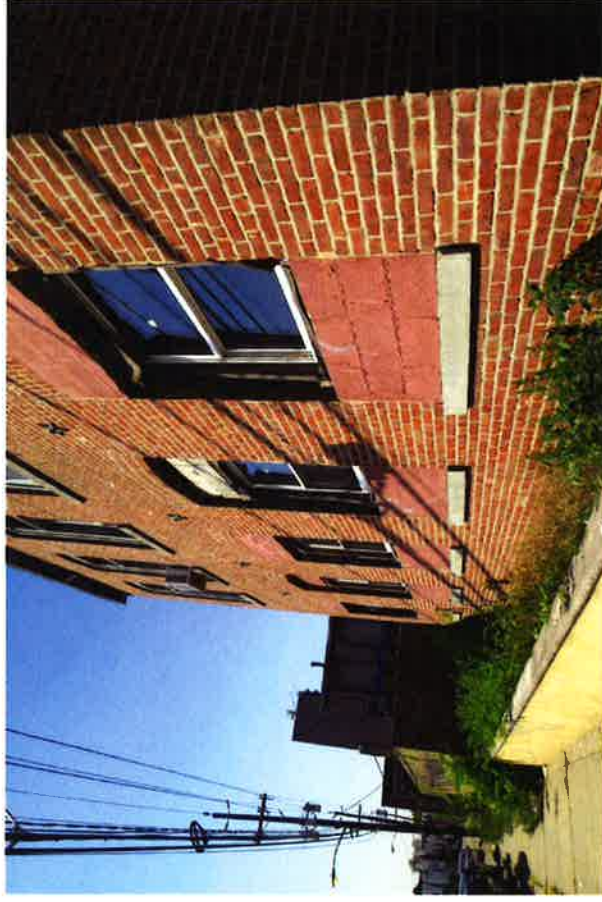
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Block 23701 Lot 7 (from Wilkinson Ave)



Block 23701 Lot 7 (from Garfield Ave)



Block 23701 Lot 7 (from Wilkinson Ave)



Block 23701 Lot 7 (from Garfield Ave)





Block 23701 Lot 6 (from Wilkinson Ave)



Block 23701 Lot 6 (from Wilkinson Ave)



Block 23701 Lot 6 (from Wilkinson Ave)



Block 23701 Lot 6 (from Wilkinson Ave)





Block 23701 Lot 6 (from Wilkinson Ave)



Block 23701 Lot 6 (from Wilkinson Ave)



Block 23701 Lot 6 (from Arlington Ave)



Block 23701 Lot 6 (from Arlington Ave)





Block 23701 Lot 6 (from Arlington Ave)



Block 23701 Lot 6 (rear building 1)



Block 23701 Lot 6 (rear building 2)



Block 23701 Lot 5





Block 23701 Lot 5



Block 23701 Lot 27 (from Garfield Ave)



Block 23701 Lot 27 (from Garfield Ave)



Block 23701 Lot 27 (from Marcus St)

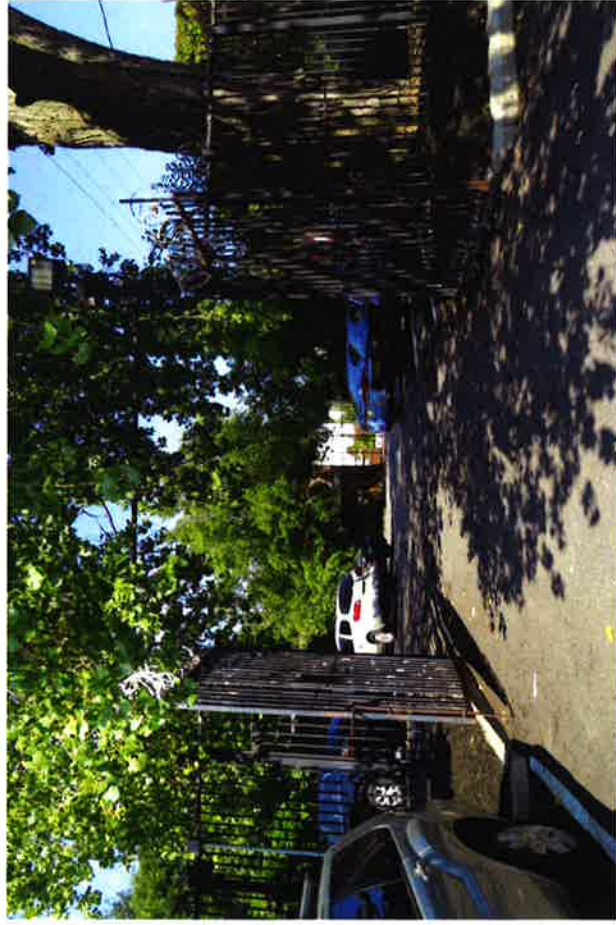




Block 23701 Lot 28



Block 23701 Lot 29



Marcus Street 50' ROW (gated parking area)



Block 23701 Lot 28 (from Marcus St)





Block 23701 Lot 28 (from Garfield Ave)



Block 23701 Lot 28 (from Garfield Ave)



Block 23701 Lot 28 (from Garfield Ave)



Block 23701 Lot 28 (from Garfield Ave)





Block 23704 Lots 1, 2 & 3



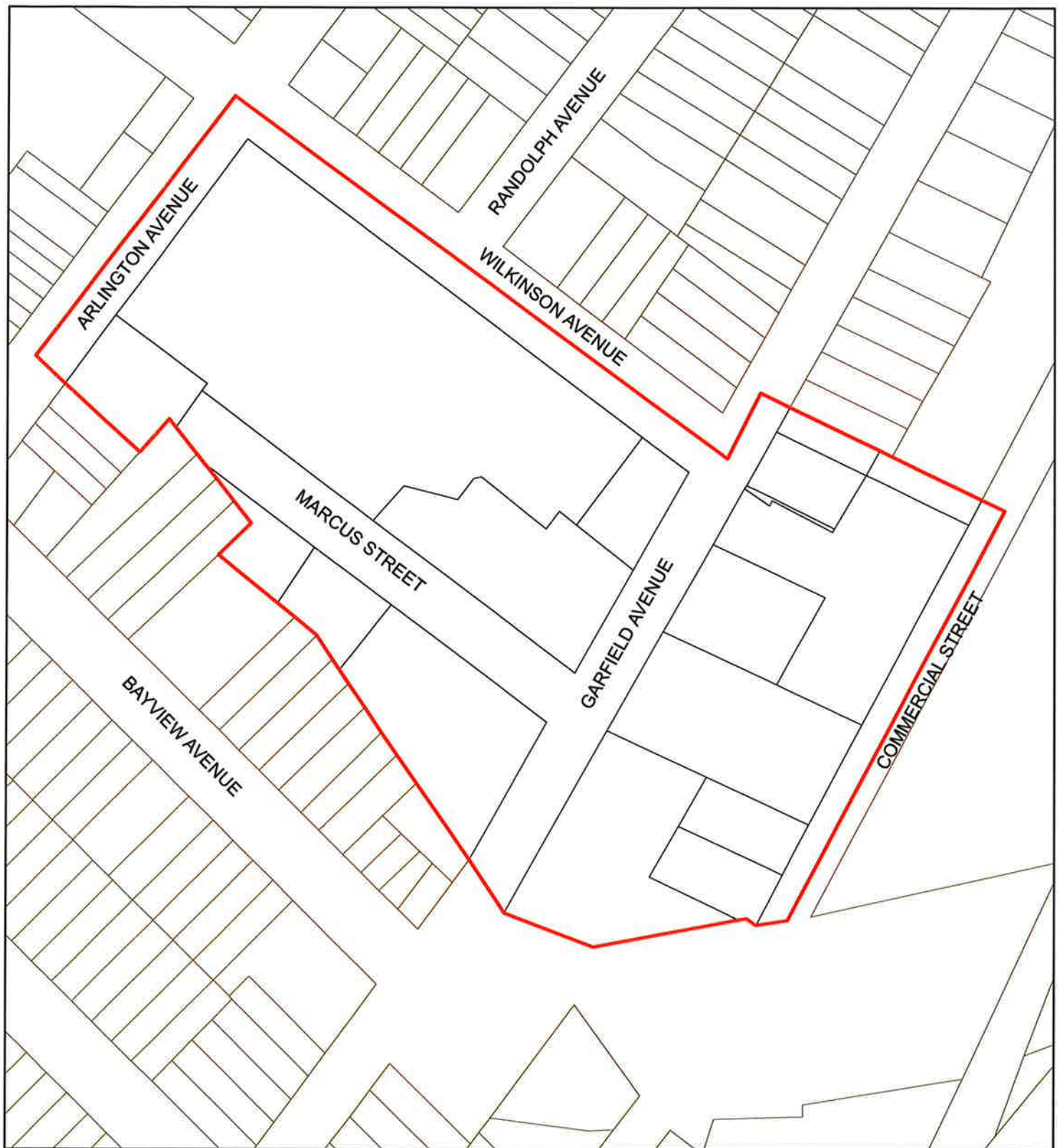
Block 23704 Lot 4



Block 23704 Lots 5, 6, 7 & 10



Block 23701 Lot 8



**GARFIELD AVENUE STUDY AREA**  
**MAP 1: BOUNDARY MAP**

December 12, 2014



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